THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 4335 OF 2006

06-03-2006

Between:

M/s.Vorion Chemicals & Distilleries Limited, Pallur, rep. By its Accounts Officer.

……Petitioner

And

The Commercial Tax Officer, Chittoor-II Circle & Others.

…..Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 4335 OF 2006

ORDER : (Per Hon'ble Sri Bilal Nazki, J)

Heard learned counsel for the parties. With their consent, the writ petition is being disposed of at this stage.

The case of the petitioner is that pending appeal, stay application has been heard by the Tribunal on 03.03.2006 and without waiting for the order of the Tribunal, the Commercial Tax Officer has detained the goods.

Since the matter is pending before the Tribunal and the stay application had been heard, we feel that the respondents should have not detained the goods at this stage.

In these circumstances, we direct release of the goods and set aside the notice impugned. However, the respondents are at liberty to take appropriate steps after the decision in the application for stay.

Writ petition is accordingly allowed.

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(BILAL NAZKI, J)

6th March 2006

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(G.CHANDRAIAH, J)

N.B:

Order by wire at party's cost.

(B/o)

ajr